

From: Mark Millard
To: Microsoft ATR
Date: 1/22/02 5:26am
Subject: Microsoft Settlement

This progresses from my details to my generalizations. But I've kept it very short.

I own a Macintosh at home and use PCs at work. (I'm a software engineer.) I own Microsoft Office at home because of work. I also use a Microsoft track-ball at home. Internet explorer is shipped with Mac OS. That is about it at home for Microsoft products. At work I use Windows 2000, Visual C++, Microsoft Office, and so on. The list here would be rather long.

In all cases the software (and hardware) is useful to me. I had many alternatives as did the company I work for. The Microsoft products fit well where they were chosen. They work together and with non-Microsoft product also in use.

As a consumer I have benefited from Microsoft products. So has the company I work for. The same is true of non-Microsoft products of various kinds that we use, some of which compete with Microsoft products.

As best as I can tell from all the reading about this case, including parts of the published court findings, this case is about generally successful (but not as successful) companies wanting to use Microsoft's context to their advantage without meeting the terms Microsoft wants for such. It is also about wanting to block Microsoft from benefiting me or the company I work for (and other folks) on terms the less successful companies did not want to compete with.

I do not see how I or the company I work for is being protected by this. We are not victims. I do see how some less successful competitors would be protected from a more successful competitor. But I do not see why companies should be protected from each other in this manner.

Microsoft is using persuasion --instead of initiating force against anyone (including fraud). As long as that is the case, I find nothing here appropriate to legal sanctions. The law should protect persuasion used in one's (or a company's) self interest as a right. It should not be a privilege one (or a company) can lose by being successful at it, even if wildly successful at it. The consequences of such losses for such a reason would be horrible for a country that places securing freedom as its purpose.

Microsoft should not have an enforceable duty to help other

companies. The same goes the other way as well.

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